8.24.74

Dear Dave,

Enclosed is my today's letter to Don Freed. If you do not hear from him or his people in a reasonable time or in a satisfactory manner, then I believe we are free to do whatever you consider best.

The recent developments I have not described to Don are like in Greek tragedy. The State of Tennessee has been driven to such desparation they are delivering the judge's sympathies to us and are about to help us set new legal precedents for the rights of the unjustly convicted that would otherwise be impossible. For the first time they have forced a situation which caused the ACLU to offer to be friend of the court. and at the top policy level and with their top legal talent, not some local functionary. Because the State has a real stupidity as an assistant attorney general and because he has the subtlety of a bolt of lightening it has been an interesting and rewarding intellectual exercise to turn all his dirty-works against him. And I have enjoyed doing it. What makes it more fun and more rewarding is that I have to do all I do without even spending the money for a long-distance phone call. I am limited to calls on which I can reverse the changes. And to letters. This legal dunderhead just created a situation which enabled me to dump a load of reality on the judge without apprehensions about contempt - not that I have not risked this in the past with crooked judges and not been charged - to inform the judge properly of what he might never have been able to learn in court. I think of these things as intellectual judo and I do not hide the satisfaction I get from them.

We get to talk but little but each time we do I feel more and more that we share beliefs and concerns. So I regret even more that we have never been able to really sit down and have a real schmues. This is really what I was driving at yesterday. After we spoke and while I was driving home I gave this more thought.

I have no way of knowing what your wife's stamina is or what her medical and physical condition is. But it seems to me that a woman who would marry a guy like you has the interests you have and might just enjoy what we would talk about. My concern is that it might tax her, not only physically but emotionally.

If you think hearing what I would like to tell you would not be a strain on her, then I think it would be fine if I could stop off some evening on my way back from Washington. The realities of my life have been like a story book. albeit sometimes grim and tragic. I believe they have loaded me with socially and commercially valuable literary properties. I believe those can bring both satisfaction and financial reward to both of us. But until you can become aware of them, there is really little you can do. I would also suggest that in order for you to have something for others to evaluate without lots of writing and remembering on your part, it would be good to tape record what would be just a bull-session type conversation. If you have no tape recorder, let me know and I'll bring one.

I will have to be in Washington Tuesday. As I told you, since I last spoke to you I have completed, nearing even to delivering to the printer, what I regard as a sensational and significant book of utmost topicality. I will be at the printer's to check what is called the "blues," to see that he has made no mistakes in preparing for the actual printing. He may not be at this point by then. But I have to deliver to my artist on that day all the copy for the cover, so I have to be there anyway. Whether or not the blues are ready controls only when I will finish working. I will have to be there. If the blues are not ready, I'll have to go back probably Thursday. I can't leave here Wednesday. ABC is considering a documentary on this. Kevin Delaney has a xerox of most of the book. (I picked them as Avis and have spoken to no other net.) He is not the one who decides. That man is apparently on vacation until after Labor Day.

When I had not been able to reach you by phone earlier I just walked in off the street and they spent more than an hour with me when they said maybe they could find five minutes. After reading a fair amount he still has interest.

Here my life is again complicated by social obligations as I preceive and feel them. There is now pending before the Congress an amendment to what I regard as an important and corrupted law, the Freedom of Information law. Nobody knows it by&I am the writer who, broke as I am, has used it more than any other writer if not more than all others put together. Nixon's Mitchellisti converted the law into a license to suppress. One of my cases is among the three causing the Senate to amend the law back to its pre-Nixon intent. Our new Glorious Leader, the Ford touted as an open and uncomplicated man who has and will have an open administration, has quietly threatened to veto it. I have his letter on this. He and Saxbe have forced compromises on the conferees that will make this more of a license to suppress than Mitchell made it. Now it happens that this book is dynamite on exactly this, Ford personally and what Justice under Mitchell did to the law. If the book can be used in the debates, assuming the bill emerges from conference, I will face a conflict between my personal interest and what I regard as society's.

Meanwhile, I haven't the slightest notion what this is or should be worth to ABC, if they retain interest, or to anyone else. Or whether it would be worth more if in effect it becomes public domain or nothing at all.

So, I do need help and representation.

On Watergate: your instincts are solid. I have written almost a complete draft of The Unimpeachment of Richard Nixon. I had to lay it aside for this new book but no development in the Impeachment Committee's hearings or any subsequent event requires a single change. Yes, I am boasting. It is loaded with untold and unexposed facts, all absolutely solid. It is, in fact, a very tough book. It will not take long to complete if I can find a few free days. But its toughness is a problem and honesty and the interest of a decent society require this toughness. There also must be serious editorial problems because of the conditions under which I have written it. Not having read any of it in my pushing to complete a draft, I really don't know. But I know myself well enough to expect that the anger and other emotions are on paper and will have to come out. And much of it may require work to make it comprehensible. When one starts work as early as 3 a.m. and may continue until after midnight, this has to be expected. Fu t that the work stacks 100% and is largely new and makes sense out of what has had no sense made of it is not within my areas of doubts or concerns.

So, this is something else for us to talk about.

Because we are out in the country and if I miss the single incoming and outgoing mail I'll have to drive into town so you can have this before I can call Tuesday, I end here hoping I have been comprehensible and the rrors in my bad typing present no problems to you.

Best,